

Executive Summary: Report of the Independent Review Panel Concerning the Atlanta Municipal Court and the City Court of Atlanta

The Panel was charged to "advise the Mayor on the court systems of the City of Atlanta and whether the current systems could be revised in light of the goals of efficiency, avoidance of duplication, focus of essential services and cost savings." Further, it was directed to provide "recommendations regarding potential changes to the court system..." The two courts involved are the Municipal Court and the City Court ("Traffic Court") which have jurisdiction over violation of City ordinances and misdemeanors and traffic violations, respectively. Each court has nine full-time judges, and employs numerous part-time (*pro hac*) judges. Both Courts handle high-volume of matters or cases. The Municipal Court and the Traffic Court are of uppermost significance to the City of Atlanta because they are the only courts with which most citizens are involved. These courts have served the City for many years and have a number of fine judges and employees. The Panel appreciates the cooperation which it has received from the judges and personnel of these courts.

The focus of the Panel's review was the general operations of both of the Municipal and the Traffic Courts -- caseloads, judges' schedules, existing personnel, prosecutors and solicitors, and the law enforcement agencies with whom the courts deal. There are two factors that have affected the Panel's analysis. First, the Mayor's directive effective January 6, 2003, transferred to the State Courts what amounted to essentially 70% of the cases that were being handled by the Municipal Court. These transferred cases were State cases which by historic practice had their first appearance in the Municipal Court before being transferred to the State Court. Second, the construction of a new multi-story building for Traffic Court will be completed during 2003. The Traffic Court had not planned to use the entire building at this time. The new building has offered certain alternatives to the City judicial systems.

The following are the Panel's basic recommendations:

I. A merger of the operations of the Municipal Court into the operations of the Traffic Court. Such a merger would bring about greater efficiencies and avoid duplication of services that now exist. It would allow a better utilization of the regular judges; reduce the nonessential staff; and reduce the use of part-time judges. A merger would contemplate the use of Municipal Court judges that are underutilized due to the transfer of caseload out of the Municipal Court into the Traffic Court.

II. The regular judges of both Courts should review and examine their own caseloads and schedules, and with the assistance of better record keeping, would be able to handle the caseloads without part-time judges, except in

extraordinary circumstances. The use of part-time (*pro hac*) judges should be discontinued by both courts, except in extraordinary circumstances.

III. In the Municipal Court where regular judges continue to be underutilized, these regular judges should be offered to the Traffic Court or to the State Court to serve when needed in those courts.

IV. Both Courts should accomplish an internal review of their Court staff and personnel in view of reducing the number of non-essential personnel. This process can be assisted by professional court administrative assistance from outside the Courts.

V. The record keeping system and computer systems of both courts should, with analysis provided by outside professional court administrative assistance, be reviewed in view of establishing records and information that will allow the Courts to be more accountable to the City and the public. For example, the Panel was not able to obtain information for past years regarding the judges and other personnel schedules in the Traffic Court. It is noted that some more helpful systems are already being set up in the Traffic Court. Further, whether or not the courts are merged, the computer systems and record keeping of the two Courts should be made compatible, and to the extent possible, should be compatible with the Police Department and other City departments.

VI. If the Courts are merged, it would appear that the Municipal Court judges could be accommodated in the new Traffic Court building with appropriate additions. In such event, the present Municipal Court building (which is relatively new) could be used for other Municipal functions or leased or sold. The City jail is located in the Municipal Court complex.

VII. The Municipal Court and the City should continue to work with the Community Court and engage in a dialogue with all of the metropolitan entities regarding how to best facilitate and finance the social services surrounding the Community Court.

VIII. The Solicitor and Public Defender of both Courts should internally review their caseload and personnel. This will be particularly important for the Municipal Court after the effects of the January 6, 2003 transfer on the caseloads is determined on a more normal basis than at present. The Solicitors of both Municipal and Traffic Court ought to give particular attention to working with the Police Department to assure that policemen have as little court time as is necessary in order that they may be on duty in their regular capacity to the extent possible.

IX. The City and both Courts should continue to study the possibility of bringing the Municipal and Traffic Courts into the state court system. The Panel urges the City and Fulton and Dekalb Counties to continue to engage in dialogue on as many common issues as might be reasonable that would involve the reduction in the duplication of services.

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MEMBERS OF THE INDEPENDENT REVIEW
PANEL

Byron Attridge, Chairman

Ted C. Baggett; Paula J. Frederick; Mark J. Kadish;
Teresa Wynn Roseborough and Thomas G. Sampson